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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 INTERVIEW OF: VALERIE HASBERRY

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15 Thursday, April 14, 2022

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17 Washington, D.C.

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20 The interview in the above matter was held via Webex, commencing at 12:00 p.m.

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2 Appearances:

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5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

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8 [REDACTED] INVESTIGATIVE COUNSEL

9 [REDACTED] INVESTIGATIVE COUNSEL

10 [REDACTED] PROFESSIONAL STAFF MEMBER

11 [REDACTED] CHIEF CLERK

12 [REDACTED] INVESTIGATIVE COUNSEL

13 [REDACTED] INVESTIGATIVE COUNSEL

14 [REDACTED] PROFESSIONAL STAFF MEMBER

15 [REDACTED] STAFF ASSOCIATE

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18 For the DEPARTMENT OF ARCHITECT OF THE CAPITOL:

19 JASON BALTIMORE, ESQ.

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[REDACTED] Good afternoon, everyone. This is an interview of Valerie Hasberry conducted by the House Select Committee to investigate the January 6th attack on the United States Capitol pursuant to House Resolution 503.

Ms. Hasberry, could you please state your full name and spell your last name for the record.

Ms. Hasberry. Valerie Hasberry, H-a-s-b-e-r-r-y.

[REDACTED] And I'm going to introduce everyone in the room, the virtual room and the physical room here with me for the record. I'll start with my colleagues. Beside me is [REDACTED] researcher for the committee. And I think at some point [REDACTED] investigative counsel for the Select Committee, may be joining us as well.

I now ask that anyone on your side introduce themselves for the record.

Mr. Baltimore. My name is Jason Baltimore. I'm the general counsel for the Architect of the Capitol.

[REDACTED] Great. Thank you.

EXAMINATION

BY [REDACTED]

Q This will be a staff led interview and members, of course, may choose to also questions if any join the call. I will let you know and acknowledge them if members do appear.

My name is [REDACTED] and I'm investigative counsel for the Select Committee. Before we begin, I would like to describe a few ground rules. There is an official reporter transcribing the record of this interview. Please wait until each question is completed before you begin your response, and we will try to wait until your response is complete before we ask our next question.

1 The stenographer cannot record nonverbal responses such as shaking your head,
2 so it is important that you answer each question with an audible verbal response. We
3 ask that you provide complete answers based on your best recollection. If the question
4 is not clear, please ask for a clarification. If you do not know the answer, please simply
5 say so.

6 I also want to remind you, as we do with every witness, that it is unlawful to
7 deliberately provide false information to Congress. You will have an opportunity to
8 review this transcript once it is prepared.

9 Ms. Hasberry, may you briefly describe your professional experience leading up to
10 your current position.

11 A I can. Prior to joining the Architect of the Capitol in 2018, I served in the
12 United States Air Force for over 29 years. My most relevant and most recent experience
13 with the Air Force, my last five years on active duty was served in the Pentagon. And
14 the last three years in the Pentagon, I served as the chief of readiness for the Air Force
15 Civil Engineer.

16 In that position, I was responsible for civil engineer readiness Air Force-wide and
17 for developing the policy and procedures for the Air Force emergency management
18 program, fire and emergency services and explosive ordnance disposal. And I also
19 managed the civil engineer chemical, biological, radiological and nuclear requirements
20 and policy programs.

21 Prior to my time at the Pentagon, my last assignment at an installation in the field
22 was at Joint Base Lewis-McChord in Washington State. In that location, I was -- I had
23 two titles. My first title was as the commander of the 627th air base group and in that
24 position, I commanded several subordinate units, including the Air Force security forces
25 squadron, which is our police force.

1 My second position at that installation, I was the deputy installation commander,
2 the joint base commander. And in addition to my Air Force duties in that position, it
3 was responsible for all of the services on that joint base, including law enforcement. So
4 it included not only the Air Force Police Force, but the Army Military Police, who provided
5 law enforcement and security for that installation.

6 Q Great. What is your title currently?

7 A My current title is chief security officer. That title -- I was placed in that
8 position by Mr. Blanton, hired in February of 2020. Prior to that, when I joined the AOC,
9 the Architect of the Capitol, I was hired as the deputy for what at that time was the Office
10 of Security Programs. The initial job title changed in October of 2020 due to a
11 reorganization.

12 Q Does that mean that your role and responsibility was the same throughout
13 your time at the Architect of the Capitol?

14 A No. I started as the deputy in a security program office. With the
15 reorganization in October of 2020, we retained our security program focus, which
16 included maintaining and operating the facilities for the United States Capitol Police as
17 well as other legislative branch agencies in an offsite facility. And it included
18 responsibility for physical security projects such as the vehicle barriers and the security
19 kiosks that are used by the Capitol Police.

20 In the reorganization in October of 2020, additional responsibilities were added to
21 move emergency management into the office and that's what the new responsibilities for
22 the chief security office include, as well as our resilience and continuity of operations
23 responsibility.

24 Q Were you the chief security officer on January 6th, 2021?

25 A I was.

1 Q You've given us a little bit of an overview. Can you tell us, in as layman's
2 terms as possible, what your job description is? What is it that you do as chief security
3 officer?

4 A As chief security officer, again, I have two primary functions within the
5 agency. One of those functions is providing facility operations and maintenance.
6 Architect of the Capitol has jurisdiction, so you'll hear about Senate Office Building
7 jurisdiction, Capitol Building jurisdiction. Those jurisdictions provide the support to
8 those facilities and the occupants of those facilities.

9 In my role as a jurisdiction, I provide those same support capabilities to the Capitol
10 Police. We also have an offsite facility in Northern Virginia which includes right now all
11 of the leg branch organizations have a presence in that facility and so we provide the
12 same capability and support there.

13 In addition to that jurisdiction type function, we provide suitability for all AOC
14 employees. Meaning before an employee comes on board, we work with Capitol Police
15 and other agencies to do the suitability check to bring those individuals on board. We
16 work with the House Sergeant at Arms and their ID management section to issue badges
17 to AOC employees and contractors where it applies. So we have that suitability
18 function.

19 We provide a -- right now it's a contractual liaison position on a day-to-day basis
20 to the Capitol Police Command Center. We have resilience and continuity
21 responsibilities for the agency, but we also support the legislative branch activities in
22 those areas as well.

23 For emergency management, we provide the emergency management policy and
24 training for AOC and, again, we partner with the agencies across the leg branch to ensure
25 our training and exercises are coordinated.

1 In addition to that, one of my other functions is the Capitol Police Board does not
2 have a permanent staff. And so we support Mr. Blanton in his role on the Capitol Police
3 Board by providing him that administrative support. And currently, because he does not
4 have a deputy, I fill that role on the Capitol Police Board deputies working group for him
5 as well.

6 Q You mentioned it, but who is your direct supervisor?

7 A Mr. Brett Blanton --

8 Q Was he the --

9 A -- who is the Architect of the Capitol.

10 Q Perfect. Was he the Architect of the Capitol on January 6, 2021?

11 A He was.

12 Q And can you very briefly tell me what the Architect of the Capitol does?

13 A The Architect of the Capitol in broad terms is responsible for maintaining
14 and operating the facilities and the grounds associated with the Capitol complex, which
15 again includes not only the facilities and grounds on Capitol Hill, but also those at offsite
16 locations in Northern Virginia and in Maryland.

17 In his role as the architect, he's responsible for maintaining the historical aspects
18 of the Capitol. He has the Botanic Garden and the Capitol Visitor Center as part of his
19 portfolio in addition to the jurisdictions that manage the facilities associated with the
20 House/Senate. He also has facilities support for the United States Supreme Court and
21 he also has responsibilities as a voting member of the U.S. Capitol Police Board.

22 Q So let's get into that. Can you briefly describe his function on the Capitol
23 Police Board? So you said he's a voting member. What sort of decisions require a
24 vote? What sort of decisions come before them?

25 A With the Capitol Police Board, the information and the decisions that

1 normally come before the board are any issues brought to them by the Capitol Police,
2 including the manual of procedures, which is the board manual that provides information
3 and guidance to the Capitol Police on key operations.

4 There is a traffic regulation that applies for traffic on campus that the board has
5 oversight over. And in addition, if there are issues related to -- I guess a good example
6 would be when we looked at how the buildings would reopen post-COVID, the Capitol
7 Police made a recommendation to the board on what they could support for reopening,
8 the board discusses that and then signed off on that proposal as the board.

9 And the board consists of the three voting members, which are the House
10 Sergeant at Arms, the Senate Sergeant at Arms and the Architect of the Capitol, and the
11 Capitol Police chief serves as an ex officio member of the Capitol Police Board.

12 Q Is there an easy way for you to kind of delineate for us what stays -- what
13 decisions stay within, you know, the chief of the Capitol Police and what requires coming
14 to the Capitol Police Board?

15 And if it's murky, that can be your answer as well. I'm just hoping to get an
16 insight into whether it's clearly delineated or whether it's amorphous.

17 A There are some issues that are clearly delineated. I would say the
18 day-to-day operations of the Capitol Police. And then there are others where the
19 Capitol Police notify the board. A decision isn't required, but they may notify the board.
20 And then there are others where there -- again, that manual of procedures I
21 mentioned -- where there are specific functions that may come to the board for a
22 decision and approval.

23 Q How do you assist Architect of the Capitol with his responsibilities on the
24 Capitol Police Board?

25 A If there is an issue coming before the Capitol Police Board that requires his

1 review and, if necessary, a decision, I, along with his general counsel, Mr. Baltimore, we
2 will review those items, we will provide any input we may have that could inform his
3 decision. We make sure that we track the packages that are with him that require his
4 signature.

5 Before Capitol Police Board meetings, based on the agenda, I normally prepare a
6 read-ahead package with him with that agenda and the associated background so that
7 he's prepared to make a decision or to discuss an item when he goes into the actual
8 police board meeting.

9 Q So let's just start a discussion about intelligence leading into January 6th.
10 And I want to start with the first two MAGA marches that occurred on November 14th
11 and December 12th of 2020. And those happened of course out in the city, not here on
12 Capitol grounds. But were there any preparations security-wise as it related to the
13 Capitol for those two events?

14 A Prior to those events, we received requests from Capitol Police to place bike
15 rack at certain locations around the campus, primarily on the east front in the plaza area.

16 And I would have to go back and verify. I don't believe we were asked to place
17 any concrete elements like jersey barriers. I think it was primarily bike rack we were
18 asked to place just to delineate where the public space like on First Street vice when they
19 were actually entering onto the Capitol Plaza.

20 Q We'll get into how you receive your intelligence, but I'm wondering what, if
21 anything, had you been hearing about those two events in your role particularly, but also
22 generally that maybe led to at least the request for bike racks?

23 A For both of those marches, it was primarily what was in open source media,
24 meaning local papers, local reports, national media about how many people would
25 potentially be participating in those marches.

1 I would have to go back and actually double-check. I don't remember seeing a
2 lot of daily intel reports from Capitol Police that spoke to those rallies, just the general
3 request that they would have civil disturbance units postured for those in case -- even
4 though they were not scheduled to be on campus, just in preparation in case there was
5 any activity on campus.

6 Q So it sounds like the heightened numbers of people in the city is what sort of
7 drove that request for the bike racks. Do you recall if there was any talk of violence or
8 any sort of rhetoric that went in hand with that or was it mostly the fact that the numbers
9 were going to be elevated?

10 A From what I remember -- again, I would have to go back and actually look at
11 some of the open source media reports -- there were reports of potential engagements
12 with counter-protestors. There were -- especially for the second MAGA march based on
13 some of the activities that occurred associated with the first MAGA march that did inform
14 preparation for the second one.

15 Prior to the first one, from what I remember of the open source reporting, it was
16 more the reporting that there was expected large numbers of people with the potential
17 for engagement between the MAGA marcher demonstrators and counter-protestors here
18 in the city.

19 Q Okay. Did you see anything after the first and second event that affected
20 the Capitol grounds? So was the bike rack sufficient? And was there any spillage over
21 onto Capitol grounds on those two events?

22 A From what I remember on those two events, the demonstrators did not
23 come onto Capitol grounds. Most of the demonstration, if I remember, took place near
24 Lafayette Square and near the hotel where I think the Proud Boys were staying at that
25 time in large numbers.

1 On the Capitol grounds, again, I would have to confirm. I believe there were
2 some instances of graffiti on some portions of the grounds, but I would have to confirm
3 that.

4 Q You talked to us about your expectation of violence between -- or skirmishes
5 between protestors and counter-protestors, how that happened on the first event
6 led -- informed the second event.

7 Were you aware of, again, sort of violence between protestors and
8 counter-protestors on the second event and did that inform your outlook leading into
9 January 6th of what could potentially happen on that day?

10 A It did inform my outlook because, again, the local news media highlighted
11 some of those -- call them altercations between the different groups. And I believe it
12 was the second MAGA march where the banner at a local church was torn down and set
13 on fire. And so, again, based on not just what happened with the second march, but
14 what was in the open source media at the time, that did inform my expectations for what
15 could occur on January 6th.

16 Q Prior and up to January 6th, please describe where the Architect of the
17 Capitol receives or received his intelligence from.

18 A The Architect of the Capitol receives his intelligence from the Capitol Police.
19 Prior to January 6, that intelligence normally came through daily reports that my office
20 would receive. I do need to highlight that even though they're called daily reports, we
21 didn't receive them in my office every day. But if we received any intel that indicated it
22 could impact the campus, and especially if it could impact AOC and our ability to continue
23 to support Congress and the Supreme Court, we would raise that up to the Architect of
24 the Capitol.

25 Q And when you say Capitol Police, in particular, is it the Intelligence and

1 Interagency Coordination Division within Capitol Police that sent those reports?

2 A It is.

3 Q Okay. I'm going to refer to them as IICD moving forward. In terms of
4 formal intelligence, is the IICD -- was that exclusive -- the IICD is the -- from where the
5 Architect of the Capitol would get his intelligence exclusively from that division; is that
6 right?

7 A From that division, on some occasions. The Northern -- I will have to get
8 you the official title -- but the Northern Virginia -- there is an intel fusion center. It was
9 not classified intel. It was more general intel. They on occasion would send out a
10 notice that we would get through emergency management channels identifying potential
11 concerns in the area.

12 Q Other than the fusion center in Northern Virginia and the IICD, were there
13 any other, you know, FBI, DHS, INA, any other organizations that regularly shared
14 intelligence with you?

15 A No. Again, for us, it comes through -- those agencies would communicate
16 with the Capitol Police, the IICD.

17 Q And is it fair to say that you were the conduit between those sources of
18 intelligence and the Architect of the Capitol? So everything kind of goes through you
19 and you are the one who then supplies him with that -- with what you get -- with what
20 you receive; is that right?

21 A Correct.

22 Q What was your impression of IICD within Capitol Police prior to January 6th?
23 So was it high functioning? Did you find its products useful? Were the channels of
24 communication with it open?

25 A Our direct channels with IICD, other than the traditional reports they would

1 send out that we received, again, not on a daily basis, but on -- I'm not sure how they
2 decided which reports we received, which ones we didn't. Our normal interaction with
3 them wasn't on a daily basis.

4 If there was an event coming up that required us to provide temporary protective
5 measures, we would normally -- not through the IICD -- we would normally, through the
6 security bureau within Capitol Police, receive a copy of their -- I'll call it intelligence
7 assessment that was informing why Capitol Police was asking us.

8 Sometimes we did receive the full report and other times we didn't. We would
9 just receive an email request asking for bike rack, concrete placement, things like that.

10 Q What was your impression of its reputation? Did it have a good one, a poor
11 one?

12 A I will -- to be honest, I was not aware of whether or not it had a good or bad
13 reputation within -- I'll call it the community because the products I saw were infrequent.

14 My only impression was -- my personal impression, not from my position as the
15 chief security officer, but based on my experience within the Air Force is it did not
16 operate the way Air Force intelligence did. But, again, it's not a military intelligence
17 organization. That was a personal opinion of mine.

18 Q And I am largely in these questions asking for your personal opinions. So
19 you can absolutely preface it with this is my opinion and not the official position of the
20 Architect of the Capitol. Perfectly fine.

21 What was lacking, in your opinion?

22 A In my opinion, based on some previous incidents that occurred on campus, I
23 personally had concerns that incidents on campus were not being assessed for patterns,
24 that they were seen as individual actions and that some of the off-campus activities were
25 also not seen from a pattern perspective.

1 To -- you know, to explain that, there were -- prior to January 6, there were some
2 instances of where people came onto campus, climbed up onto a building. My personal
3 expectation is there would have been more of an assessment if the individual had
4 connections to a larger organization, was it a mental health issue, a consumer of mental
5 health. And I didn't see some -- what I saw, not saying it wasn't occurring in activities
6 that I was not privy to, but I did not see that in any products we received.

7 With the MAGA marches, my concern there was -- I can't remember if it was the
8 first or second MAGA march -- there was -- we received some information through our
9 liaison in the command center that an individual wearing a Hawaiian shirt left a backpack
10 at a location and that that backpack, if I remember correctly, had some empty
11 ammunition cartridges in it.

12 I saw that, and when I saw the reference to a Hawaiian shirt, I, based on open
13 source media, Boogaloo Boys, there had been a federal officer -- actually, multiple federal
14 officers shot and one killed by a Boogaloo Boy. So I asked questions, is there a
15 connection to the Boogaloo Boys? Do we need to be concerned? Do we need to get
16 information to our people who work outside, you know, to be more aware. That was,
17 again, just based on my experience, those were some of the concerns I had.

18 Q Do you think threading together those individual instances into a larger
19 picture would have been helpful in the lead-up to January 6th and how?

20 A I'm not sure if it would have been helpful because they could -- you know,
21 again, I'm not privy to whether or not those individuals that were involved had anything
22 to do with larger organizations, but I can tell you that it did heighten my sense of
23 awareness based on what I was seeing in the media, based on what I saw from MAGA 1
24 and MAGA 2 at some of the interactions, it did inform my level of concern leading up to
25 January 6th.

1 Q There were two new heads installed at the IICD, Jack Donahue and Julie
2 Farnam, in the few months before January 6th. Did you see any change or improvement
3 under their leadership up to January 6th or, from your perspective, was it much of the
4 same infrequent intelligence reports and not much communication?

5 A From my perspective, I did not see any difference.

6 Q When did you become aware that January 6th, the day the electoral votes
7 are certified, a day of little importance every other election cycle, would draw more
8 public attention this time, particularly from demonstrators protesting the election
9 results? When did that first come across your radar?

10 A Not too long after the election, in open source media, you could see a
11 different -- to me, a different level of rhetoric that was being reported in open source
12 media. And so post the election and leading into January 6th, you could start seeing
13 different statements, you start hearing about Stop the Steal. You start seeing, again, in
14 open source reporting, that there were people talking about how they could change the
15 outcome of the election. And so again, for me, just looking at the day-to-day reports
16 that were coming out in news media, that started informing.

17 I believe the first indication we got from Capitol Police -- and I will speak for
18 myself -- is when they requested bike rack, and I believe we received the request late
19 December. It included a copy of -- I believe it was dated 28 December. It included
20 their intelligence assessment.

21 My staff forwarded that to me because it was asking for additional bike rack
22 different than the number we had provided for MAGA 1 and 2. And they highlighted to
23 me, from a cost perspective, they were just notifying me they were going to be spending
24 more money because Capitol Police was asking for more bike racks than they had for
25 similar events in the past.

1 Q Okay. I'll get to the formal intelligence assessments that you received.
2 First, did you take any note of the December 19th Tweet by President Trump saying, "Be
3 there. Will be wild," and how, if at all, did it affect your thinking heading into the event
4 that the President of the United States was sort of advertising the event?

5 A I did take note of that Tweet and quite a few others from what I'll call
6 high-level individuals that spoke to violence or the potential for violence, including in the
7 days leading up, there were comments about potentially having to take to the streets to
8 make the point. I captured all of the key articles that caused me concern in the briefing
9 that I provided to Mr. Blanton in his C suite on the 5th of January and it did include the
10 one from Former President Trump, but it also included several others.

11 And personally, based on those comments, that rhetoric, based on what had
12 happened in several state houses with the COVID mandates that people were protesting
13 and the people going into state houses, it did raise my level of concern.

14 Q Did you have ongoing conversations with Mr. Blanton as these sorts of, you
15 know, open sources -- as you were reading those open sources and growing more
16 concerned or did you pull it all together for the briefing on January 5th and that was really
17 your only conversation with Mr. Blanton about January 6th and your concerns?

18 A We had some informal conversations. And one of the reasons he asked me
19 to do the more formal brief on the 5th of January was to capture some of those concerns.

20 Q Okay. And did he -- what was his sort of reaction when you were sort of
21 having these informal conversations communicating your concern? Did he agree with
22 those concerns? Was he also concerned? What was his reaction?

23 A I believe he was concerned because he was extremely supportive of the
24 additional funds that we were expending to support the Capitol Police requests. Again,
25 to me, the expression of his concern and support was asking for the formal brief to the C

1 suite on the 5th of January.

2 Q Okay. I think I know the answer to this question but, I want to get it on the
3 record. From what source, formal or open source, did you get most of your intelligence
4 for the January 6th event?

5 A Open source.

6 Q Okay. So if mostly open source, let's talk about what products you did
7 receive from the IICD regarding January 6th. You've spoken about a December 28th
8 intelligence assessment. Just start there. Is that the first sort of formalized
9 written-down assessment regarding January 6th that you received and reviewed?

10 A It is the first one that I received and reviewed. Prior to that assessment,
11 the only, I'll say, real discussion about January 6 and the potential that we had -- that I
12 personally had been involved in, we were asked, due to COVID, to look at potential
13 options, to have the electoral count in temporary tent structures on the east front.

14 As we went through the process working with the House Sergeant at Arms to look
15 at that potential, several of us did raise concerns about having an official function in tents
16 that would not provide the same protective factors as a stone -- as a formal structure, a
17 real building.

18 Q And so, you know, the idea behind the tents was dealing with COVID. That
19 was really focused on COVID; is that right?

20 A That's correct.

21 Q And your concerns, I'm wondering, just as a matter of every day, you know,
22 if this were, you know, a year later and there weren't these concerns of violence and the
23 election and all that, you would still have raised your concern about it's in a tent, so the
24 security element isn't there or was that informed already by what you were hearing in
25 open sourcing of the potential for violence on January 6th?

1 A I personally would have still had concerns and reservations about having all
2 the members of Congress in tents because it's harder to protect them. You don't have
3 the same physical security means to protect them. And especially if they're all in one
4 location, including the vice president of the United States. So I would have still had
5 concerns with using tents for that. Those concerns were heightened by what I was
6 seeing in the open press.

7 Q Okay. So do you recall when this discussion about the tents happened?

8 A I would have to go back and get the actual dates. I believe the discussion
9 started late November into early December before the decision was made not to proceed
10 with that.

11 Q All right. So you were already seeing things in open sourcing about the
12 negative attitude after the election of some of President Trump's supporters?

13 A Correct. It was already being expressed in open source media.

14 Q Can you tell me who took a part -- was a part of these discussions?

15 A I can get you specific names based -- I would have to pull the emails, but I
16 know we were talking to House Sergeant at Arms personnel. I believe there was some
17 Capitol Police involvement.

18 Our involvement was primarily we were asked from the Architect of the Capitol,
19 and I had the lead, was to find if there were sources for large tent structures and to
20 identify any costs associated with procuring those and identifying a time frame to actually
21 procuring those structures and the actual seating and other things that would have been
22 in those areas.

23 Q As far as you recall, what was it that sort of killed the notion, I guess? Was
24 it security? Was it cost? What were the considerations and who made that decision
25 ultimately that that would not be feasible?

1 A I don't know who made the ultimate decisions, but from what I recall, there
2 were -- it was related to cost, the ability to have it in time as well as the additional
3 security that would have been required for that.

4 Q Let's go back to that December 28th intelligence assessment. You said you
5 reviewed it. Do you remember what gist you got from it? What was the impression it
6 left with you?

7 A The impression it left with me was they expected large crowds in the D.C.
8 area, but -- I think I may have it pulled up. But the general impression was that the risk
9 or the threat, if you will, was minor.

10 Q After the December 28th intelligence assessment, was there any other
11 formal written assessment that you received from IICD?

12 A We received an assessment on January 5th and we received one on January
13 7th.

14 Q So putting aside January 7th, since that's after January 6th, but before
15 January 6th, there would just be a second then and that'd be the daily intelligence report;
16 is that right?

17 A Again, the daily intelligence report, that's what I referenced we received on
18 January 5th. And as I mentioned earlier, even though it's titled the daily intelligence
19 report, AOC, my office, did not receive it every day.

20 Q Right. It's titled daily intelligence report. That's the January 5th one.
21 And so on the record we have, as far as you recall, two pieces of formalized intelligence,
22 December 28th and then January 5th and that's it for before January 6th; is that correct?

23 A That's correct.

24 Q Okay. So for the record, I'll ask, did you receive the intelligence assessment
25 from IICD, its final version completed on January 3rd, which we had sent to you as Exhibit

1 3, which is about 15 pages and it concludes on its last page that Congress itself was a
2 target, not skirmishes between counter-protestors and protestors like MAGA 1 and
3 MAGA 2. Did you receive that intelligence assessment before January 6th?

4 A I did not.

5 Q Does that mean that you feel confident saying also, because you are the
6 person who gets the intelligence to Mr. Blanton, that Mr. Blanton, the Architect of the
7 Capitol, would also not have received that January 3rd assessment from IICD?

8 A I am comfortable stating I do not believe he received it because he would
9 have received it through us.

10 Q So you talked a little bit about how MAGA 1 and MAGA 2 informed January
11 6. You figure there were these skirmishes between protestors and counter-protestors,
12 that might happen on January 6th. Was there any indication leading to January 6th,
13 given that you didn't see this or you weren't given this intelligence assessment, that
14 seems to sort of say, actually January 6th is -- it's going to be worse. It's different than
15 the first two and that the target is actually not between protestors and
16 counter-protestors, it's Congress.

17 Did you have any feeling from either open sourcing, wherever, any feeling that
18 maybe January 6 would be worse than the first two MAGA marches or was your
19 impression going into it that very much the violence that was seen on those first two is
20 pretty much what you were expecting for January 6th?

21 A It was my impression that it would be worse.

22 Q And is that purely based on open sourcing that you came away with that
23 impression that it's not going to be just what we saw previously?

24 A It was from open source.

25 Q You talked about how the intelligence assessments from IICD were

1 infrequent. So this may be obvious, but was it odd to you or was it in keeping with what
2 you were expecting from IICD that there was no comprehensive intelligence assessment
3 leading into January 6th?

4 Did you just think, okay, the December 28th one is it, that makes sense? Or
5 were you thinking to yourself where is a comprehensive intelligence assessment either
6 from IICD or from other organizations, other departments, FBI, DHS? Were you
7 wondering why aren't I getting more formal intelligence about January 6th?

8 A I was. I did find it odd, even though previously we received them
9 infrequently, based on what was being reported in open source media, I did find it odd
10 that we were not seeing more from IICD.

11 Q What about oral briefings. Did the IICD conduct any of those in which you
12 or your office was a part?

13 A On December -- and I will have to get you the date -- but during a police
14 board in December, I believe -- and I can check the minutes -- there was a general
15 discussion about preparations for January 6th. And during that briefing, again, there
16 was no discussion about January 6 being violent on campus, no discussion about January
17 6 being worse from the perspective of MAGA 1 and MAGA 2 and actually
18 impact -- severely impacting the campus.

19 Q At the Capitol board meeting, would someone from IICD be present or is this
20 what you heard basically from the police chief?

21 A We heard it from the police chief. I would have to double-check the
22 minutes. Someone from IICD may have been in the meeting.

23 Q That Capitol board meeting, did it deal in large part with preparations for
24 January 6th or were there mostly other topics?

25 A There were mostly other topics.

1 Q Okay. So what you've already told me, you know, what you guys discussed
2 about January 6th, was that the extent of what was talked about at that meeting or was
3 there anything else?

4 A That was the extent of what was discussed at the meeting. It was January
5 6. There was other topics including the upcoming inauguration.

6 Q And so you mentioned that. So is it fair to say that's the only
7 potential -- because you're not quite sure if IICD was part of the call -- but that would be
8 sort oral briefing that potentially you or Mr. Blanton would have received from IICD?

9 A Yes.

10 Q So it says, IICD, that it conducted a call with Capitol Police leadership on
11 January 4th. As far as you recall, you nor Mr. Blanton attended that call; is that right?

12 A Mr. Blanton and I attended a call not on -- and I will have to pull the date. I
13 apologize. I can't be certain of the date.

14 There was a call not only with the Capitol Police Board and Capitol Police, but with
15 external partners. The focus of that call was the inauguration and the preparations for
16 the inauguration. And during that call, there was a brief question on January 6th and
17 the response during that meeting was that there was no major -- my recollection is that
18 there was no major discussion on January 6 being violent or attacking Congress.

19 Q Okay. So that conversation and then the Capitol board conversation, is
20 that the sort of exclusive universe of times you would have interacted orally, received an
21 oral report from IICD?

22 A It is.

23 Q Okay. So if IICD conducted a call with Capitol Police leadership on January
24 4th in which -- and the day after put out their assessment in which they reiterated
25 Congress was a target, so on and so forth, you certainly feel comfortable neither you nor

1 Mr. Blanton attended that call?

2 A I feel comfortable saying neither Mr. Blanton nor I attended that call.

3 Q Okay. Let's talk about the product you received, the one from January 5th
4 labeled daily intelligence report. You received it after, is that fair, or during your briefing
5 to Mr. Blanton in your office regarding the threat picture for January 6th?

6 A I became aware of it after the brief. Our meeting, the meeting in which I
7 gave the briefing, starts at 9:00 a.m. And I can check when the email came out into our
8 box from IICD, but normally the IICD reports come out after 9:00 a.m.

9 Q Okay. Let's look through your timeline. It says, "At approximately 9:30
10 hours, Beverly Hasberry briefed the AOC C Suite on the upcoming demonstrations,
11 including information from open source reporting indicating there would be violence
12 protests."

13 And then it says, "The briefing also noted that current intelligence reports
14 determined there were no credible threats to the joint session of Congress." And then it
15 goes on to say that, "At 10:03 hours, the OCSO security team received a USCP intelligence
16 report and the report did not indicate any probable threats related to the joint session of
17 Congress."

18 So I'm wondering, when you're between the briefing and 9:30, you don't yet have
19 this January 5th daily intelligence report, but you said you noted that current intelligence
20 reports determined.

21 What did you mean by current intelligence reports? Is that the December 28th
22 that you're talking about?

23 A That's the December 28 report.

24 Q Okay. So I know it says reports, plural, but it meant one report?

25 A Yes.

1 Q Okay. Cool. And then at 10:03, obviously you receive a second report,
2 which is going to be the second one that you received from IICD. And you indicate that
3 it -- I guess you're saying that it was in line with what you had received previously. It
4 also indicated that there were no probable threats related to the joint session; is that
5 right?

6 A That's correct.

7 Q Okay. So is it fair to say that your presentation -- although later it sort of
8 was in line so there was nothing to change but your presentation didn't incorporate the
9 daily intelligence report information, or did you receive it in the middle and you were able
10 to include it as part of your presentation?

11 A So the presentation was based on the December assessment that we
12 received. It was informed by the Capitol Police Board, that report. So based on the
13 information we had received at that time, that informed that briefing on the 5th of
14 January.

15 Q The December 28th one?

16 A Yes.

17 Q Okay. And right. So my question is just that you weren't able to
18 incorporate whatever information was a part of the January 5th daily intelligence report
19 into that briefing?

20 A Correct.

21 Q Okay. Let's go through -- it rates some groups as, quote, the level of
22 probability of acts of civil disobedience and arrests, it rates it as improbable for a few
23 pro-Trump groups. That's sort of the highest level of risk, which it says translates to
24 about 20 to 45 percent chance. And then others coming in at, you know, lower, at
25 highly improbable or the lowest, remote.

1 How did you interpret that improbable level of risk? What did you come away
2 thinking about the possibility of violence given that characterization of 20 to 45 percent
3 chance?

4 A If I only consider the report of improbable, my assessment would have been
5 that it was not likely that there would be any impact on the Capitol grounds from any
6 type of demonstration on the 6th of January.

7 Q And is that just by looking at -- you know, obviously, I think there are three
8 more categories above -- which one is it -- improbable or highly improbable?
9 Improbable is the -- yeah, improbable is the highest ranking. Had three more above
10 that.

11 Is that basically why? Because you see it sort of at the -- from what the -- they
12 created that rubric, but you see it as sort of the bottom end of the six total
13 characterizations?

14 A That's correct.

15 Q Did you feel like you had a good -- like did you feel like that percentage or
16 that label was helpful? Did you feel like it gave you the information that you needed or
17 was it not particularly useful?

18 A From my personal perspective, I did not find it useful because it was not
19 tracking with the rhetoric that was showing up in open source media.

20 Q Did you ever have any conversations with -- and did you know who to reach
21 out to within the IICD either to let them know that -- you were saying not necessarily that
22 the categorization itself is not useful, just that it was incorrect in your estimation. Did
23 you ever reach out to IICD about that?

24 A I did not.

25 Q Did you have any visibility into how this product was put together? So

1 when you receive it, do you know who did it, how high up in the organization was it
2 verified, that sort of thing?

3 A I do not. I did not have any insight into how they develop their intelligence
4 assessment other than the general IICD puts together the assessment.

5 Q Let's talk about particular pieces of intelligence. So we sent over Exhibit 8
6 and it's a thread that you're not on, but I wanted you to get a feel for the type of things
7 that people were seeing in the lead-up to January 6th to figure out if you, too, were made
8 aware of those sorts of things.

9 So Exhibit 8 features talk between Capitol Police leadership about
10 Washingtontunnels.com receiving a dramatic uptick in new visits, that the site
11 TheDonald.win had been active in promoting photos of the tunnel system and that
12 Capitol Police had identified numerous open source comments by groups of their
13 intention of finding tunnel entrances and confronting or blocking members of Congress,
14 including setting up a perimeter to block entry or escape.

15 That sort of information/intelligence, were you made aware of that? Did you
16 know about that prior to January 6th.

17 A I did not.

18 Q Let's talk about Exhibit 2 and that features a tip -- again, you're not on this
19 thread, just an example -- a tip from Shane Lamond, who is out of D.C. Metropolitan
20 Police, their sort of intelligence shop, a lieutenant there regarding "a website planning
21 terroristic behavior on January 6th during the rally. Agitators from out of state will
22 arrive and will try to stir up trouble in D.C. There are detailed plans to storm federal
23 buildings, dress incognito and commit crimes against public officials, including a detailed
24 plan on storming the Capitol in D.C. on January 6th."

25 That sort of talk, plans to storm the Capitol, had you been made aware of any of

1 that prior to January 6th.

2 A So not through IICD. The dressing incognito and some of the other
3 discussions were captured in open source media, and we did -- I did highlight that in my
4 briefing on January 5th.

5 Q And so the dressing of incognito -- what about the storming of the Capitol
6 itself. Do you recall that and whether you heard about that in your briefing?

7 A The briefing -- I don't believe there was open source that specifically stated
8 storm the Capitol. The articles that they talked about destruction of property in D.C., it
9 was a USA Today article. I'm looking at slide 7 in the brief. Protests against the
10 certification could be violent. I referenced The Washington Times article about Proud
11 Boy leader -- it says members will be incognito.

12 And so there was a general sense about, I'll say, planned violence, not specifically
13 citing, that I remember, storming the Capitol. My personal concern about storming the
14 Capitol was related to, again, concerns based on the storming of the Michigan State
15 House and what had occurred there and the fact that some of those same groups planned
16 on being in D.C.

17 Q Okay. So we'll talk about the Dataminr exhibit which mentions storming of
18 the Capitol and you receiving that and what you thought about that. But outside of
19 that, it sounds as though you did not receive -- so kind of, you know, these links that were
20 sent by Shane Lamond that has, you know, people on open -- you know, on social media
21 and so on talking about plans to storm the Capitol in D.C., you did not read in any open
22 sources that specific language. You yourself had concerns about that given what had
23 happened at state capitals across the country; is that right?

24 A That's correct.

25 Q So on January 5th at 9:19, you received an email, which is Exhibit 17. It's

1 from a representative of the company, Dataminr, with a screenshot of an alert message
2 regarding chatter on the 8kun blog including, "Go to Washington January 6th and help
3 storm the Capitol." And "We will storm the government buildings, kill cops, kill security
4 guards, kill federal employees and agents. "

5 Can you tell us -- walk us through what you were receiving when you received this
6 email and what you did about it.

7 A I received the email and then I received a call from the person sending me an
8 email. It was a -- it's a contract -- it's a private company that was looking to do business
9 with AOC and others on Capitol Hill.

10 When I received it, I took it seriously because even though it was coming from a
11 contractor, it included what I viewed as a threat. I sent it to my team, including the POC
12 that we have working in the Capitol Police Command Center and I asked them to confirm
13 with Capitol Police, let them know we had received it and ask them to find out if this was
14 credible.

15 Q Okay. So then is it fair to say, then, outside of your own personal concerns
16 about the storming of the Capitol, this is the first time you see an actual writing anywhere
17 that someone has specifically said storm the Capitol on January 6th; is that right?

18 A Yes. I would have to go back and look at every single article I read before
19 then, but most of the other ones, they talked about violence and destruction, it was more
20 so in the streets and making the point. This one that I received from the contract from
21 that private company laid out specifically storming the Capitol.

22 Q And you can talk to me a little bit about your facility or knowledge dealing
23 with social media, but did you come across any social media, you know, hashtag occupy
24 the Capitol, hashtag storm the capital, things like that? Had anyone made you aware
25 that those sort of things were circulating on social media prior to January 6th?

1 A I think generally, I was aware simply because the open source reporting
2 would always reference some of the 4chan sites, some of those other sites where
3 external people were tracking the activity on those sites.

4 Q Okay. So you said you forwarded that email to the AOC Command Center,
5 right?

6 A Well, it's to -- we have -- we always have someone in the command center.
7 A lot of times it's a contractor. For major events, we put a government -- an AOC
8 employee there, but we have, for several months even prior to, you know, January 6th, it
9 wasn't that we had placed someone there just for January 6th. It was our routine
10 operation. And they're called our liaison that sits in the command center. And that's
11 the person that interfaces with Capitol Police if they have a question that AOC or an issue
12 that AOC needs to resolve. And if we're trying to get information from Capitol Police,
13 that is one of the prime ways we get it because that person is in with the Capitol Police
14 watch commander.

15 Q And when you forwarded it over, to whom were you expecting that liaison to
16 go to within Capitol Police? What's the expectations? Who would they speak to?

17 A They would speak to the watch commander, who is -- that watch
18 commander is in control of that command center floor and the operations and the
19 information flow within -- in that command center.

20 Q And so the purpose in forwarding it over is to figure out if that watch
21 commander can let you know whether this is a credible threat, right?

22 A Correct.

23 Q So what does it mean to you? Because, you know, you first wrote, can you
24 tell me if this is a credible threat. What amounts to a credible threat in your mind and
25 what doesn't?

1 A So I will state it -- start by saying I am not an intelligence analyst. I am
2 not -- we don't have intel functions within the Architect of the Capitol. So I'm sure there
3 is a process and a rubric they use to determine if something's credible. Who actually
4 made the threat? Do they have the means to carry it out, that type of thing.

5 So unofficially, I had to -- I sent it forward because I wasn't sure if it was even a
6 real Tweet or whatever social media posting. Because it was a company trying to get
7 business with the AOC, I had to make sure it was validated as something actual.

8 Again, to me, I won't say it's credible because that's an intel term, but what I
9 would say is, you know, my gut feel, my instinct is, again, based on everything you're
10 hearing, it wasn't beyond the realm of possibility that this was someone who actually
11 planned on doing harm.

12 Q Okay. So when you received word back that "there is no talk about any
13 credible threats or storming the Capitol," what did you take that to mean? Because, you
14 know, in part you wanted to -- you just kind of -- first you said you just wanted to verify if
15 it was an actual person saying this, right? It wasn't Photoshop, it wasn't this company
16 sort of, you know, sending you something false or incorrect or obviously Photoshopped or
17 changed. And you didn't get that information back. You just got that. "There is no
18 talk about any credible threats or storming the Capitol."

19 So what did you take that to mean.

20 A I took that to mean that Capitol Police had received no information of any
21 credible threat of someone attacking the Capitol. And so, again, even though I had gut
22 feelings, we don't have intel, I'm not intel, and what I took that to mean is the law
23 enforcement entity is telling me, in essence, this is nothing to be concerned about.

24 Q Okay. And you said, though -- you guys said although you were sort of still
25 concerned or you felt a certain way, you took it at face value because they are sort of in

1 charge, they're the experts in this field and they would know whether this is something to
2 take seriously or not.

3 A Right.

4 Q Okay. How about, you know, when you sent over credible, were you
5 thinking about it in the way -- in the intelligence way, you know? So law enforcement
6 agencies have told us that they fear sometimes taking action on free speech, right? So
7 they don't want to go knock on doors or petition for a warrant or send investigators out
8 to interview people based on free speech, what they put out in social media. And so
9 they have those sorts of restrictions on themselves to decide whether something rises to
10 a certain level before you can act on it.

11 But what I'm wondering is, you know, they have that sort of outlook, but why not
12 just build contingencies based on chatter, whether it's deemed credible or not, right?

13 So shouldn't -- what are your thoughts on something like this, whether it's
14 credible, whether it's an actual threat that someone's going to carry out, still being part of
15 the security posturing, still being a part of the contingencies you planned around because
16 of either the volume, how many people are saying it, or even just the severity of the
17 rhetoric even if it is deemed not credible. So do you have thoughts on that.

18 A So my thoughts were in essence captured in that brief I gave, which was
19 even though the intel sources and the official position was violence was improbable, the
20 reason my briefing was structured the way it was, it was -- although officially there was
21 no credible threat, I am advising the Architect of the Capitol that I believe there is a level
22 of concern that is warranted to protect the AOC staff and protect our ability to support
23 Congress.

24 And so within that briefing, I laid out some of those articles. I laid out the fact
25 that, again, this was based on my personal beliefs and concerns that you had groups such

1 as the Oath Keepers and Three Percenters who had been engaged in armed protests not
2 only in the past, but in the recent past related to the pandemic and other issues. You
3 had the social media postings.

4 You had articles where there was discussion about mob violence to draw law
5 enforcement away from certain areas and I specifically stated, you know, this increases
6 the risk that -- we have AOC staff who are required to work outside. They do the
7 gardening, they take care of the grounds, they may be doing construction outside, and
8 that was my -- that was part of my concern is these people would be at increased risk.
9 And in that briefing, you know, we talked about having, you know, doing additional
10 sweeps on the ground to make sure we hadn't left anything out.

11 We talked about having bloodborne pathogen teams on standby, both the
12 capability that exists on our Capitol grounds, but I also have a contract that can provide
13 cleanup of bloodborne pathogens. You know, we talked about having people on
14 standby to address graffiti after the event was over. That was based on what happened
15 during the social justice marches. Even though they weren't permitted on the campus,
16 we had a lot of graffiti that occurred after those events.

17 And so we -- you know, my recommendation as the security lead for Mr. Blanton
18 was, yes, people are saying from an intel perspective that there are no credible threats
19 against this electoral count, but I'm advising that we take appropriate actions to protect
20 our buildings and our people based on what I'm seeing in open source media, based on
21 my experience.

22 And, you know, we even put the emergency numbers and advised our staff to use
23 the tunnels and internal walkways, secure all their equipment, stay away from the
24 demonstration and, you know, maximize telework. Meaning if you didn't have to be on
25 campus, don't come in on the 6th.

1 And so, again, although there were no official rulings that there were credible
2 threats, the abundance of information out there informed my recommendation.

3 Q So just to put a pin on this Dataminr information, did you -- what you saw
4 there, after you received back that it wasn't credible, I think you received it back after
5 your presentation was done; is that correct?

6 A That's correct.

7 Q Okay. So the particulars of that Dataminr, that didn't make its way to your
8 presentation?

9 A It was not included in the presentation. I may have mentioned that, you
10 know, as I was briefing, that I had received it and that we were looking into it. From
11 what I recall of the briefing, I also made a verbal mention that some of our people out on
12 the grounds had been approached by visitors asking where the demonstrations were.

13 So there were things going on while that briefing was going on. I may have
14 mentioned it verbally. But, again, I did not have the follow-up at that time to include in
15 the briefing whether -- that it had been deemed to not be credible.

16 Q And I know this is January 5th and of course the official line was that it was
17 not credible. So I understand if you didn't. But did you share it with anyone outside of
18 AOC?

19 A Except for Capitol Police. Once we sent it to Capitol Police and they said it
20 wasn't credible, I didn't share it with anyone else.

21 Q Let's talk about -- you've done a good job of running through your sort of
22 top-line discussion or messages or thoughts as it related to the briefing, which is Exhibit 4.
23 What prompted you to give the briefing?

24 So it sounds, from my understanding, that given the things you were seeing,
25 Mr. Blanton asked you to do it or was it sort of standard or a preplanned event heading

1 into January 6th?

2 A So formal briefings I had not previously given before. Normally, if there's a
3 large demonstration in D.C. or expected on campus, I would do a verbal notification to
4 Mr. Blanton in the C suite during this meeting that, you know, hey, there's going to be a
5 large demonstration on campus, remind your people, if they don't have to be above
6 ground, use the tunnels.

7 Depending on the event, we -- if Capitol Police ask us to stop construction in
8 certain areas due to the size of a demonstration, we would send out what we call a red
9 notice, which is just a notice that construction needs to stop during certain hours and that
10 the AOC staff and contractors need to remember to button up their sites so that material
11 can't be used.

12 And so those were normally just -- in addition to a red notice, if it went out, it was
13 normally just a quick verbal, this is what's going on. This is what you need to be aware
14 of. You know, here are some precautions to take.

15 Based on what we were seeing in open source media and the volume of what we
16 were seeing in open source media, in my discussions with Mr. Blanton, he asked me to do
17 a more formal presentation to the C suite, in essence to drive home that we thought this
18 was going to be different.

19 Q And what was your objective behind the briefing? So what sorts of things
20 were you hoping would change as a result of it?

21 A The objective was to, again, minimize presence on campus, ensure that
22 people buttoned up construction sites and that ideally, that we wouldn't have AOC staff
23 working outside on the 6th of January.

24 Q In your briefing, you include the line, "The primary risk on campus is
25 property damage."

1 What led you to that conclusion?

2 A It was based on articles talking about, you know, burn D.C. to the ground. I
3 personally took that to mean it wasn't just D.C. It was D.C. and Capitol Hill. And again,
4 as I mentioned earlier, because -- I believe it was the Proud Boys had already pulled down
5 things and I believe it was MAGA 2 set banners on fire, it was my belief that that was the
6 biggest risk was that they would be intent on destroying property.

7 Q Is the official line that there were no specific credible threats, is that what
8 kept you from thinking that the primary risk would be harm to people?

9 A Yes.

10 Q You included recommendations that AOC employees ought to "secure all
11 equipment, tools and materials when not in use." And I think in our informal, you told
12 us you advised that all construction did halt on January 6th except for the construction of
13 the inauguration stage, which we now know was one of the places that
14 demonstrators/rioters came and breached the Capitol grounds.

15 Do you know, why was an exception made for the inauguration stage?

16 A Because of the timeline of -- of course, there is a set date for the
17 inauguration and you have to have things completed in a specific timeline in order to be
18 able to hold it on that date. And so the discussion was based, again, on because it had
19 been deemed there was no credible threat to Congress, that construction was behind a
20 fence, you know, it was clearly marked as a construction area. There was plans for a
21 significant presence of officers on the west front. The decision was that construction
22 could continue to ensure the inauguration could happen on schedule.

23 Q Are you aware of whether tools and equipment were used by demonstrators
24 against police in and around the inauguration stage area on January 6th?

25 A There were tools used. We did do an inventory following. We did not

1 find any of the tools missing. We are aware, based on what was found in the debris,
2 that -- we call it snow fencing. It's the green fencing that you see around the Capitol in
3 certain construction areas. It's a demarcation line. It has metal stakes that hold it into
4 the ground.

5 We are aware, based on reporting from Capitol Police officers and what was found
6 in the debris, that some of those were pulled up and used as weapons. But I can
7 personally tell you that watching it and seeing people with large mallets and other things,
8 one of the first questions we had, you know, after the chaos had calmed down was can
9 we account for all of our equipment? Was any of our tools and equipment used? And
10 we were able to -- the contractor was able to account for everything. The mallets, we
11 didn't have any of those on that construction site. So we did go through that process.

12 Q Oh, okay. So it sounds that the video footage didn't necessarily
13 corroborate that any of the tools that you saw were being used were -- it could be
14 possible that they were all brought by the demonstrators themselves. It didn't
15 necessarily corroborate that the tools that you guys were using for the inauguration stage
16 were used against officers; is that right?

17 A That is correct.

18 Q What about -- you said the police interviews with officers. Have you heard
19 them alleging, though, that inauguration tools or tools in the construction area had been
20 used against them?

21 A I have not personally heard them alleging that.

22 Q You concluded that Mayor Bowser had activated the National Guard for
23 traffic control and other assistance as part of your briefing. Why? And what was that
24 piece of information meant to convey?

25 A That was included because anytime there are major traffic changes, we

1 normally give our staff a heads-up because they may have to find an alternate way in. It
2 may be a day they choose to telework because -- you know, just based on the general
3 commuting issues here. And so that was the notice that there would be traffic checks
4 and traffic controls in place and that the, mayor was bringing in the National Guard to
5 assist with that.

6 Q Okay. So is it fair to say, then, the impetus behind it was more to do with
7 the fact that they were doing traffic control? Had the mayor activated the National
8 Guard for civil disturbance, would that have made its way into your briefing? If so, why?
9 What were you trying to convey with the idea that the city had asked for National Guard
10 support?

11 A Again, people -- some people get nervous when they see uniformed
12 personnel on the street. So it was more -- it was included in the brief, one, to notify
13 them that there were expectations there would be major traffic issues, and major traffic
14 issues to the point that the National Guard was being called in to assist the D.C. Police
15 Department.

16 If there had been National Guard personnel activated for civil disturbance, that
17 definitely would have made it into my brief. But the reason it would have made it into
18 the brief would be to further highlight why we should go to maximum telework and
19 minimize the number of staff we had on campus.

20 Q But prior to January 6th, had you heard anything about calling on the
21 National Guard to assist with the Capitol?

22 A I had not.

23 Q "Chief Sund today says he held a call with Paul Irving and Michael Stanger
24 discussing the possibility of employing the guard."

25 Do you know anything about that?

1 A Not prior to January 6th. We became aware of that call after January 6th.

2 Q And you became aware of it through open sources?

3 A Through open sources. As you know, there were some follow-on hearings
4 with Chief Pittman, Chief Sund, Mr. Irving, Mr. Stanger.

5 Q Okay. But everything -- things that are publicly available.

6 A Yes.

7 Q You weren't told -- there's nothing either internal that you received
8 corroborating that call or anything like that?

9 A No. Just what was made available to the public.

10 Q Do you know if Mr. -- and I think you said "we," so I think I know your
11 answer. Do you know if Mr. Blanton knew anything about it prior to January 6th?

12 A He did not.

13 Q Can you describe -- well, yeah, just very briefly -- how your interactions with
14 the Capitol Police Board either formally or informally involve you? So what role do you
15 play -- in particular, I think I understood formally, you know, there is no staff, so you're
16 definitely doing work there.

17 I'm wondering informally, when the Capitol board or members talk to each other,
18 do you play a role in that?

19 A And I do need to caveat prior to January 6th and the interaction after. So
20 prior to January 6th, if there was a conversation and Chief Sund, I think, made this
21 statement in his hearing to the Senate, if there were discussions about what were
22 deemed to be law enforcement issues, the Architect of the Capitol -- and I should say
23 operational law enforcement issues -- the Architect of the Capitol most of the time would
24 not be involved in those conversations because the Architect of the Capitol is not a law
25 enforcement officer or official.

1 Prior to January 6th, our involvement in the board was normally, again, the
2 routine activities of the board, reviewing packages, signing off on packages, attending the
3 various meetings. I would attend the deputies' meeting. Mr. Blanton attends the
4 actual board meetings. And I'm normally there along with his counsel to back him up to
5 provide him assistance during those meetings.

6 Q Okay. So it sounds like, looking back now at the fact that that call was had
7 and that neither you nor Mr. Blanton participated in it, that doesn't surprise you given
8 what Chief Sund says and your experience dealing with law enforcement operations and
9 how they generally would exclude Mr. Blanton in any of those conversations; is that
10 right?

11 A That is correct. It did not surprise me.

12 Q Okay. Did you have any personal feelings, any opinions in the lead-up to
13 January 6th regarding the appropriateness of using Guard resources, D.C. Guard
14 resources for the Capitol?

15 A I did not have any personal opinions. And that was based on not
16 having -- not being privy to any additional details other than what we were seeing in like
17 the 28 December assessment.

18 Q So it sounds that any of your informal conversations with Mr. Blanton or
19 even in any of these calls, you know, that you're partaking in with Capitol Police or IICD,
20 you never heard talk of anyone broaching the topic of asking for Guard support?

21 A No, I did not.

22 Q Did you have any visibility into the security measures Capitol Police was
23 deploying -- outside of the bike racks? We're going to get to the bike racks. But
24 outside of the bike racks, did you have any visibility into the other security measures the
25 Capital Police was deploying in the lead-up to January 6th?

1 A Other than what was in their assessment? Their assessment, you'll note,
2 talks about the number of civil disturbance units. They have -- I should know this
3 acronym and it's escaping me -- FRU, some of their response units. But the information
4 we have on operations is based on that report and anything we would have received, any
5 special requests. So if there is a request that we need to provide blocking vehicles,
6 which they normally use like the dump trucks, that's when we get those either in a report
7 or through an email request asking for that assistance.

8 Q How much visibility or how much insight or the ability to affect the security
9 posture of Capitol Police, given that that's limited from your perspective and from
10 Mr. Blanton's perspective, is that generally of concern to you, the role that AOC and its
11 chief of security play or is kept from playing in security decisions for the Capitol?

12 A It's a concern of mine and of Mr. Blanton because, again, in his role as the
13 architect and one of the reasons he's on the board, he has the responsibility for the
14 facilities and grounds. And that gets to the protection of those facilities and grounds.

15 So there is a vested interest from the facilities, ground and, of course, the people.
16 You know, personally, my concern has always been we're not law enforcement, we don't
17 claim to be law enforcement. But from a physical security perspective, we do have
18 insights not only based on our experience in the military, but also just based on
19 understanding facilities and how they work.

20 Q On a slide labeled "Campus Posture," there are basically two items. There's
21 an additional bike rack for the perimeter and, as you mentioned, civil disturbance units
22 postured for response.

23 What was your impression of the civil disturbance units deployed, if you knew?
24 Was it all units? Was it all hands on deck? From your understanding, were people's
25 days off canceled? I'm trying to get a feel for what was different or heightened leading

1 into January 6th than usual.

2 A So I can't speak to -- I can tell you personally, just because we sit in the
3 building with Capitol Police in the Fairchild, you would hear, as you're in the hallways,
4 people saying things about all hands on deck, very informal, again, nothing official.

5 From my perspective, being able to tell you there are X number of CD units and all
6 are being activated on the 6th, that was considered operational. And other than what
7 was in the report, I only had the report to go on.

8 Q What about your personal observations. Someone who works, as you said,
9 in the building, on the grounds. Did there appear to be an all hands on deck? Did
10 there appear to be in the morning, let's say, a strong Capitol Police presence, more than
11 usual what you maybe would have anticipated to be all hands on deck or did it not appear
12 to be that way?

13 A There was -- because they were, I'll say, staffing -- I won't use
14 manning -- because they were staffing some of the bike lines, that was a change.
15 Normally when we put up bike rack, it's a lot of times just as a demarcation and they
16 monitor that from cameras to see if anyone's crossing over.

17 They were -- and based on my -- what I will tell you is based on my conversation
18 with the then assistant chief for operations, Chad Thomas, the night before, when I called
19 him about my concern with moving bike rack, they explained that they would have a
20 heavy presence and that one of the reasons they were removing bike rack on the east
21 front is they couldn't staff it with officers.

22 So based on hearing from the operational commander, if you will, my perception
23 was they would have a heavier than normal presence.

24 Q So outside of those two things, the bike racks and the civil disturbance units
25 postured for response, as far as you're aware, was there anything extra or additional

1 Capitol Police put in place for January 6th in terms of security?

2 A I can't speak to anything else they may have put in place.

3 Q Just that you were aware. Are those the only two things that you were
4 made aware of?

5 A Those were the only things that I was made aware of in addition to, I think
6 there was some blacking vehicles, but that was tied into that temporary perimeter.

7 Q Right. Okay. On the morning of January 6th, which is a part of Exhibit 11,
8 I just want to briefly -- you received some information regarding the Proud Boys allegedly
9 shutting down the D.C. water system?

10 A Yes.

11 Q Just walk us through what you did with that.

12 A So our legislative and public affairs office found -- and I can't -- I'm not sure
13 how they found it. I believe they just have it set up when there is a mention of AOC in
14 any type of article or social media, they will get pinged that there was a mention of AOC.

15 The legislative and public affairs, the acting director sent that Tweet to me and to
16 Mr. Blanton just to let us know it was out there. I took that and similar to what I did for
17 the Dataminr, we had that go to the Capitol Police watch. Because it was on the 6th, we
18 did have an AOC employee in the watch along with a contractor. He not only talked to
19 the Capitol Police, but he had a contact with D.C. water.

20 He called up D.C. water to ask them if they were aware of any threats to their
21 water system and that's when they came back and said they were aware of the Tweet
22 and they did not -- that they had found nothing credible about that Tweet at the time he
23 engaged them.

24 Q So when you say -- you wrote, "Most of the Tweets and social media posting
25 have not been deemed credible threats," were you talking generally or did you mean just

1 with those regarding the water shutdown?

2 A In general.

3 Q Okay.

4 A Because, again, all of the social media postings, the Dataminr that we had
5 sent, the report on the 28th and the one on the 5th were still saying that it was
6 improbable.

7 Q Got it. All right. I'd like to talk about bike racks now.

8 A Okay.

9 Q So we provided you with internal emails between Capitol Police leadership
10 on December 29th, 2020, which is Exhibit 1, which I will ask if we can put that up.

11 Deputy Chief Waldow sends Chief Sund the draft perimeter plan. And I just kind
12 of want you to, if you can, once we get it up on screen, walk us through what the original
13 request for the formation of the bike racks was. So before there was any request for
14 anything additional, before then they request, you know, for it to be taken down, just
15 what was the first sort of -- and the map is what we're looking at. There we go -- the
16 first sort of request. Is this consistent with what the first request was?

17 A That was consistent with the first request that we received in December.

18 Q So it looks like it's all around except for, you know, Independence Avenue; is
19 that right? And Independence Avenue has like little -- it's not all together. It's little
20 patches of bike rack; is that fair?

21 A That's correct.

22 Q And he writes on that email that, "Bike racks will provide a chute to contain
23 any large group that intends to use Union Square and also provide a perimeter we can
24 defend along Connecticut and Independence Avenue to include the barricades."

25 I know you're not on this thread, but can you help us understand that? What do

1 you think he means -- or what does it appear to mean to provide a chute to contain a
2 large group.

3 A So the bike rack, because of its height and how it's structured, the reason it's
4 considered just temporary perimeter security, normally bike rack is used to channel or
5 create a chute, as Waldow says. You use it to channel crowds. It is a demarcation on
6 where they can go and where they can't.

7 And so when I saw this -- I think you sent this yesterday -- I looked at it. Based
8 on this, my assumption is that what Waldow was saying is if you were look -- as you look
9 at the map and you see how there are two lines of bike rack along Constitution?

10 Q Uh-huh.

11 A That he was saying he was expecting to have bike rack along Independence
12 in that same configuration, which meant you would just channel people and keep them
13 on the streets. That's what I took away from that email.

14 Q I see. But the recommendation doesn't include that. So is that
15 something -- would that be what the additional bike rack would be?

16 A Right. His comment was -- I think you're talking where he says bike rack
17 will provide a chute that intends to use -- for the large group, provide a perimeter we can
18 defend along Connecticut and Independence Avenue to include the barricades. Again,
19 my interpretation of what he meant was he was expecting additional bike rack to be
20 sourced and placed along Independence Avenue similar to what you have along
21 Constitution and the barricades he's referencing for the vehicle barriers that are at either
22 end of Independence Avenue.

23 Q Okay. So then in Exhibit 6, we have -- Chief Sund writes in a thread, this is
24 early September 29th, that he wants to "make sure we have all of the necessary bike rack
25 in place for January 6th on the east and west front. Looks like some of the bike rack on

1 the east front near the north barricade made need to be put back in place. We also
2 want to make sure we have bike rack to secure the west front."

3 Is that still a part of the original request or was this -- does this talk about
4 additional bike rack or is this the original request.

5 A Since this is the first time I'm seeing this, this would have been in addition to
6 the original request. The original request we received is the one that you are currently
7 showing on the screen.

8 Q Okay.

9 A And as you can see, there was no bike rack along Independence not
10 connected like it was along Constitution. That was the original request we received.
11 So --

12 Q And is this the east front, then? The east front is on the original request, is
13 the one that is not fully covered like the west front, which is Constitution Avenue; is that
14 right?

15 A The east front, you had bike rack on both sides of First Street. You see part
16 of it highlighted in yellow and you also, if you look at that drawing, you will see there's a
17 blue line on the Capitol side of First Street. It's not highlighted in yellow, but there is a
18 blue line that indicated to my team that our contractor had to ensure there was bike rack
19 along that line.

20 Q Okay. When was it that you first heard of a request for additional bike
21 rack?

22 A We received a request on the 5th of January to provide additional bike rack.
23 I believe it specifically stated, because they normally tell us where to drop that bike rack,
24 that they wanted the additional bike rack, I believe, for the eggs. And that's those -- the
25 two egg-shaped areas on the east front.

1 Q So I see at the top, on the north, I see on the both west and east, these two
2 eggshells -- sort of eggs, but is there something else?

3 A No. So my understanding from the request we received is the additional
4 bike rack was for the east front.

5 Q Okay. So Exhibit 5 involves Deputy Chief Waldow asking for "Additional
6 bike rack for Independence Avenue running east from the south barricade. I advise I
7 reviewed the map after the meeting with the HSAA and the COP and it was not included."

8 What he describes there, that's what your understanding of additional bike rack
9 was, Independence Avenue running east from the south barricade.

10 A No. My understanding when we received the request for additional bike
11 rack on the 5th is that it was to address the east front and what we call the Senate egg,
12 which is at the top left of your drawing at the screen.

13 Q Okay. So had you not heard of -- you know, you now have this
14 exhibit -- had you not heard of talk about extra bike rack for Independence Avenue
15 running east from the south barricade?

16 A I had not. I don't remember hearing that.

17 Q And if we can go to Exhibit 7-A. So this to me -- if we can zoom in a little
18 bit -- looks -- the blue is obviously what we had previous and it looks like I see now purple
19 is sort of the additional -- supposedly what the additional ask is.

20 Is that your understanding or is that not your understanding?

21 A That was not my understanding.

22 Q Right. So this purple would be in line with what I had just read from Chief
23 Waldow of potentially wanting extra bike racks from Independence Avenue running east
24 from the south barricade, right?

25 A Correct.

1 Q Got it. But that is not your -- that request for that extra bike rack was
2 never made to you; is that fair?

3 A I am not aware of that request.

4 Q And for it to have gone through, it would have had to have gone through
5 you, correct?

6 A Yes. I would have seen a modification to the contract for that bike rack.

7 Q Okay. So all of this talk by Chief Waldow and here what's marked in 7A, it
8 never made its -- if Capitol Police was considering extra bike rack in this capacity, it never
9 made its way to AOC.

10 A Not that I'm aware of.

11 Q So Exhibit 7 is an email from Chief Sund to Irving and Stanger asking to
12 discuss the bike rack on January 5th, 2021 and it's at 2:55 p.m. As far as you know, did
13 Mr. Blanton participate on that call?

14 A As far as I know, he did not.

15 Q And I know you mentioned that, you know, some law enforcement talk was
16 typical to exclude Mr. Blanton, but this is in particular relation to bike rack. Was that
17 weird, that that call would not include Mr. Blanton?

18 A That was not weird. If I may, the way it normally worked, we were
19 not -- the AOC was not asked to provide input into where a bike rack needed to go. We
20 were expected to take the request we received from Capitol Police and execute it.

21 Q Okay. I see. Once a decision has already been made?

22 A Yes.

23 Q All right. Can you walk us through when you heard that Capitol Police
24 actually wanted to have bike rack removed and how it related to the request for
25 additional bike rack?

1 A So on January 5th, again, we had received a request to provide additional
2 bike rack early in the day. We made arrangements to provide that bike rack. Later
3 that evening, I was courtesy copied on an email from Alan Percy to the Capitol Police
4 informing them that the contractor would be on site to remove bike rack and, you know,
5 here's the vehicle and driver info.

6 I saw that and immediately reached out to my staff member, Alan Percy, and said
7 why are you removing bike rack, because it didn't make any sense to me.

8 I think you have the exchange of email where he explained what he had been told,
9 which was -- I believe the concern was that given the current configuration of bike rack,
10 there was a potential for people to be trapped in certain areas. He gave me that
11 information.

12 I immediately engaged -- at the time, he was the director of the Security
13 Services Bureau, Mr. Robert Ford. I reached out to him asking sort of why it was
14 being removed because it was leaving stretches with no bike rack. Because Alan
15 Percy had sent me the highlighted copy, and I think you all have it as highlighted in
16 pink, on what he had been asked to remove. And I asked in essence, you know,
17 Mr. Blanton and I have some concerns, can you tell me why this is being removed?

18 Robert Ford sent that email to the two assistant chiefs asking them to weigh in on
19 my question. The assistant chief for operations at the time, Assistant Chief Chad
20 Thomas, sent me the email back that, in essence, said we don't have the staff to post
21 along all of the bike rack. Here's where we're going to concentrate. And I'll be honest,
22 what I took it to mean is this is an operational security issue, thank you for your interest,
23 but this is how we're going to work it.

24 I responded to that with thank you, could I please call you, because of my concern.

25 Q So we'll go through that a little bit. First, we're approaching 2:00. Is it all

1 right -- are you available until 2:30?

2 A I am. I'm not sure if Jason is, but I am.

3 Mr. Baltimore. So I have a meeting at 2:00. But, you know, if you feel you can
4 get done by 2:30, I'll miss that meeting and come in a little late.

5 [REDACTED] I appreciate it. Thank you so much.

6 Mr. Baltimore. I understand that you have questions you want to get through,
7 so I'm willing to let you complete what you got.

8 [REDACTED] Thank you.

9 BY [REDACTED]

10 Q All right. So let's go through it. So Exhibit 9, you characterize this request
11 for bike removal as -- it's on January 5th at 9:10 p.m. -- as a "late request to remove
12 approximately 500 bike racks along First Street, Northeast/Southeast and along the south
13 curb of Constitution Avenue between the north barricade and First Street Northeast.
14 My team was told the reason for the change was due to USCP's concern that
15 demonstrators would be trapped on the eggs. This explanation did not track with past
16 setups including those used in November and December. In addition, the change didn't
17 make sense from a security perspective."

18 So tell us first, how was this different from the setup in November and December.

19 A Those setups, I don't have them in front of me, but in essence, we had bike
20 rack and blocking vehicles along Constitution, along First Street from Constitution to
21 Independence and that was sort of our standard setup that we were normally asked to do
22 by Capitol Police.

23 My concern, as I noted, was, again, expecting this to be a larger event, potentially
24 more violent event and we're in essence not using the same setup, not that bike rack
25 again is a security measure, but it was so different than what we would normally do.

1 And I was so concerned, that's when I let Mr. Blanton know because it was out of the
2 norm of what we had done in the past.

3 Q And just to be clear, the additional bike rack that they were requesting was
4 on the other side. This is removing bike rack separate from that request for additional
5 bike rack; is that fair?

6 A So, again, I was not tracking additional bike rack along Independence. I was
7 tracking additional bike rack on the east front.

8 Q Okay.

9 A This request was removing -- so not only did you not have bike rack along
10 Independence, you're now removing bike rack along First Street and along a portion of
11 Constitution.

12 Q Okay. But are those portions the same as the place where the additional
13 bike rack that you understood with the egg or is it different?

14 A It's different.

15 Q Okay. So there would still be additional with the egg part, but the part
16 down here is where they were removing; is that fair?

17 A That's fair.

18 Q And I think you explained to me why it didn't make sense from a security
19 perspective because it opened things up even more than what we previously had in
20 November and December; is that right?

21 A From what I remember, in November and December, you had bike rack -- if
22 you look on the Capitol side of Constitution along First Street and down Independence,
23 you would have had bike rack there. I would have to go back and check to see how far
24 down Constitution it extended as far as what was in place in November and December.

25 Q Right. But you said it did not track with past setups, so --

1 A Right.

2 Q -- I'm just using your words that you're thinking from a security perspective,
3 it would be more -- to the extent that bike racks provide security, it would be laxer
4 security than what was -- at least along those area, than was --

5 A Along the east -- yes. Along the east front, it was my opinion that it was
6 different and laxer security than we had put in place in previous events.

7 Q Okay. You go on to say that you reached out to Assistant Chiefs Thomas
8 and Pittman. Does that mean that you couldn't reach them at first?

9 A So I reached out to them. Capitol -- Assistant Chief Thomas responded.

10 Q Okay. You followed up with Chief Thomas, right, who said, "With a shift in
11 our posture to secure the Capitol Square, there will be no tie-in for the bike rack along
12 First Street and no officers to stand fixed posts there. They will all be on Capitol Square.
13 That being said, we will actively monitor all portions of the grounds and have CDU
14 response squads to quickly address problems including potential vandalism to library
15 grounds."

16 Does that mean that there wasn't enough manpower or staffing to set up all the
17 bike racks that they originally wanted.

18 A That is correct.

19 Q Okay. And that that would have -- from your assumption, was a late
20 discovery because this is happening on January 5th, that although an additional bike rack
21 had been requested back in late December, it's not until January 5th, it appears, that
22 there's a realization that there's not enough staffing for it; is that right?

23 A That was what I took away from the conversation with Chief Thomas.

24 Q And is it fair to say, you know, if this is laxer, if this is a laxer security posture
25 along those areas in November and December, is it because there were not as many or

1 not officers at all staffing the bike racks at those previous events? How could there be
2 enough in November and December and not on January 6th unless, you know, they
3 weren't staffing them back then?

4 A So again, from an operational perspective, we weren't engaged in that. We
5 were -- we don't get engaged in their operations. What I can tell you is from previous
6 events, they would have some officers along the line. I don't know if their plan for
7 January 6 was to have more officers -- to post officers at shorter intervals along the line.
8 Again, he didn't explain why there was a difference. He just said they did not have the
9 officers to post.

10 Q But is it, from your understanding, just looking out -- so it's your
11 understanding that there were -- they did staff the bike racks in November and
12 December; is that right?

13 A They staffed along certain portions of the bike rack, yes.

14 Q Okay. Can you explain to us generally why bike racks need staffing for it to
15 be effective as a means of security?

16 A So again, bike rack is normally used -- the best use of it is just as a directional
17 mechanisms for crowd marking where they can and cannot go in to channel the flow of
18 traffic, if you will. If you're going to use it as a security measure, you will
19 normally -- most times we'll have it, I'll say, linked together with openings at certain
20 locations and officers at the locations where you have openings or where it's not linked.
21 And that's, again, because those are the points where people could ingress or egress out
22 of.

23 Q Is the thought process behind having staffing there that if, you know, as you
24 said, if people are law abiding, it's a demarcation. But if people are not law abiding,
25 they could very easily leap over the barricade, take apart the barricades and the point of

1 staffing would be to deter that sort of behavior?

2 A That is my understanding. And whether it's bike rack or fencing, you have
3 to have some type of eyes on in order for it to be effective; otherwise people can, like you
4 said, hop over or remove it or cut it or move it out of place to enter.

5 Q Can you describe for us just very briefly how demonstrators -- the concern is
6 that they would get trapped -- part of the concern. How would that happen? And,
7 more importantly, why is that a concern or why would you -- if anything. If it wasn't a
8 concern you share, why would it be anyone's concern about demonstrators getting,
9 quote, unquote, trapped in the eggs?

10 A I can tell you I did not understand the concern, which is why I asked the
11 follow-on questions.

12 Q How about then just describe for me how. What -- how is it
13 that -- physically, how would they get trapped?

14 A Physically, if you had a permitted group that was allowed in the Senate egg
15 as their demonstration area and you had a bike rack around the Senate egg with an
16 egress point and then you had other rows of bike rack outside of that along First Street,
17 technically if someone is on the First Street side and not letting someone exit, you could
18 have demonstrators -- and this is all supposition on my part -- you would potentially be
19 able to keep the demonstrators in the Senate egg from getting out of the Senate egg.

20 Q I see. So this would only apply if there was a demonstration within the
21 Senate egg and the bike rack is sort of built kind of around them, in essence?

22 A That's what I took away from the comment. Again, I didn't understand the
23 reasoning and that's why I asked additional questions.

24 Q Do you know if there were any demonstrations planned for that area, the
25 Senate egg, on January 6th?

1 A I would have to go back and check. And actually, let me just do a quick
2 check, because we had the general areas for the permitted demonstrations on the 6th.
3 There were at least four -- it shows four approved demonstrations on the east front on
4 January 6th. I know the Senate egg is one of those permitted demonstration areas. So
5 I would assume that one of the four groups would have been on the Senate egg.

6 Q Okay. You go on to write that, "I believe there may be other factors driving
7 the change."

8 What were those other factors you thought were driving the change?

9 A The factors that I thought were driving it was not just the staffing, but a
10 concern that this demonstration on the 6th was being treated differently than other
11 demonstrations had been treated in the past. That was my personal opinion.

12 Q Why? Why do you think there was that difference in treatment? What
13 was the basis?

14 A So I believe the initial request for the additional bike rack was driven by the
15 protected number of demonstrators that would be in D.C. at the time. Again, these are
16 all my personal opinion.

17 So I think the original request for bike rack was driven by just the projected
18 numbers of demonstrators that would be in the area at the time and that there had been
19 comments about, in the open media, about the reaction of MPD, Metropolitan Police
20 Department, to the social justice and what happened in MAGA 1 and 2.

21 And so, again, my personal opinion was the original response was based on the
22 volume of people expected and the potential that decisions to remove it may have been
23 based on you didn't have this during the social justice demonstrations, why do you have it
24 for this demonstration.

25 Q Got it. And then part of that may be the comparison is with the ideologies,

1 right? Because the social justice protests were sort of left-leaning protests. These
2 protests would be in support of President Trump. So did you feel as though there was
3 maybe political pressure to treat the two similarly?

4 A I'm not aware of political pressure. But, again, my personal opinion is that
5 that may have played a part in why there was bike rack removed prior to January 6th.

6 Q You know, you were there during the summer protests after the murder of
7 George Floyd. Do you see parallels? Do you see differences in treatment with security
8 between the events of the summer and January 6? And if you do see any differences,
9 what do you attribute them to?

10 A So from a how they set up bike rack perspective, they did set up bike rack on
11 the east front during those social justice protests. Those demonstrators did not ask for
12 permits to demonstrate on Capitol grounds. Most of their permitted activities were
13 through Metropolitan Police Department and the National Park Service.

14 They did come onto campus several times, onto the east front. They approached
15 the bike rack. And normally the officers were there posting the bike rack as those
16 demonstrators came on.

17 Again, the first two MAGA 1 and MAGA 2 rallies also were not permitted on -- did
18 not request and were not permitted on Capitol grounds. It was primarily in the city.
19 And during MAGA 1 and MAGA 2, you didn't see the same approach. There was not the
20 same amount of -- there was some graffiti during the social justice marches. There was
21 a lot less graffiti during the MAGA 1 and 2 on campus because, again, their focus was not
22 on campus. So I think that's one of the differences. We provided bike rack for both.
23 And so from that perspective, there was no difference from the requests we got during
24 the summer and during MAGA 1, 2 and on January 6. Both requested additional bike
25 rack.

1 Q Okay. But it was your feeling that the removal may have been from a
2 feeling of pressure or criticism over trying to make sure that the responses between the
3 summer and between January 6th were the same?

4 A That's my personal opinion.

5 Q Your boss, Brett Blanton, writes that, quote, in that exchange, "This seems
6 absolutely illogical. It removed a zone of defense."

7 I take it you agreed with his assessment, yes.

8 A Yes, I did.

9 Q And you received a response that, "The racks were removed after a meeting
10 between Paul Irving and Chief Sund. They walked the site on Monday and the concern
11 by the HSAA was that the House side was not as protected as the Senate."

12 I'm trying to understand this. Is the thinking that removing the bike rack would
13 equalize down the two sides? Because there is sort of not enough staff power then to
14 make it equal, you need to take away bike rack as opposed to adding more bike rack to
15 the side that has less protection. Am I reading it correctly.

16 A Again, this is one of the ones where the response we got, based on my
17 experience, did not make sense because you still -- my understanding of the response was
18 that the concern was you would funnel people to the House side as you put people
19 through the chute and that there was inadequate protection on the House side. I agree
20 with that because if you see from the diagram, there was bike rack along Constitution and
21 along First, but not along Independence.

22 Removing the bike rack along First Street does not -- did nothing to address the
23 lack of an equivalent footprint along Independence. But that was the response we got.
24 And you'll notice in the response, we were also told again it was an operational issue.

25 Q So I guess the idea is if you have this little pathway, they think it creates a

1 pathway, which is -- to sort of lead them in a certain direction. And so if you get rid of
2 one side of the pathway, then they're kind of freed and not so easily all marched toward
3 the House side. Is that the thinking, do you think?

4 A That could have been the thinking.

5 Q Okay. All right. Okay. So you sum up the disconnect this way. "The
6 HSAA POC is aware of our concerns, but noted that this is the USCP's operational plan.
7 As background, lack of coordination on this change is indicative of the hurdles AOC has
8 been trying to overcome on security issues. There are several historical factors on why
9 AOC has not been included in these decisions that I can discuss with you later. I will
10 continue working to improve the coordination and input."

11 So if this could be your opportunity to discuss with us -- this is later -- what you
12 were talking about there, we'd love to hear -- can you tell us about those hurdles, the lack
13 of coordination that you have long felt was a problem.

14 A I mentioned it earlier. Because the Architect of the Capitol and myself, we
15 are not law enforcement. We're not a law enforcement agency. Neither Mr. Bland
16 nor I have ever been a uniformed law enforcement officer. Because we do not have a
17 law enforcement background, we are not accorded -- in the past, we were not accorded
18 the courtesy of being able to weigh in on law enforcement operational decisions.

19 Q Excuse me. Go ahead.

20 A Go ahead.

21 Q 'M sorry. Finish up.

22 A Yeah. So what I was talking about there was the historical -- when we get a
23 drawing proposing a bike rack lay down -- I've been with the agency three and a half years
24 now -- when I first came in, I would say, hey, thank you for the drawing showing where
25 you want the bike rack. I have some questions because I think there's a better option.

1 And the response would be, thanks for your opinion, you're not law enforcement,
2 just put the bike rack down. I'm paraphrasing, but that was the gist of the
3 conversations. And so that was the historical backdrop, that even when I asked
4 questions and expressed concerns on the 5th about the removal of the bike rack, the
5 response was, even when they gave an explanation, it was normally ended with, "And this
6 is an operational decision," again paraphrasing. And that's what I was talking to is the
7 historical reluctance to have AOC provide input into what is deemed to be a law
8 enforcement operational decision.

9 Q Do you think that lack of coordination, that lack of inclusion had an adverse
10 effect on the preparation for January 6th? So would it have been valuable to have more
11 AOC input in the lead-up to January 6th?

12 A I believe it would have been valuable from the perspective that
13 there's -- based on the experience, that individual people within the AOC could have
14 offered on different layouts for the bike rack, whether or not to connect the bike rack
15 instead of just placing it without it being connected. I think that would have helped.

16 But again, bike rack is not -- it's not a security measure if there is a demarcation.
17 And again, I think part of that where we maybe would have been able to help not only
18 with January 6th, but just in general is providing that non-law enforcement experience
19 and input to say it's a demarcation so that if someone crosses the line to take action, but
20 it's not going to stop someone from crossing the line and adjust the operations
21 accordingly.

22 Q Did you have a feeling, leading to January 6th, that there was an
23 overreliance on bike racks as a security measure?

24 A I personally -- I did. And I do.

25 Q So there was talk of the vehicles needing to be swept in order to remove the

1 500 bike racks. Can you just briefly talk to us -- what does that mean and why does that
2 need to happen?

3 A Whenever we bring -- and it's not just us -- any trucks that come onto
4 campus have to go through a screening process to ensure they're not bringing on any
5 weapons, any devices that could be used against the campus.

6 If the -- our vehicles normally, when they bring bike rack on or when they take it
7 away, that's normally a nighttime operation and the screening facility in Blue Plains is
8 closed, so we have to notify Capitol Police of the time they're coming on, the vehicle, the
9 license plate, the individuals who are associated with that vehicle so that when they go to
10 one of the nighttime areas to be, quote, swept, meaning they'll bring a K-9 out, the
11 officers will inspect it, they'll bring the K-9 walking around the vehicle before it's allowed
12 onto the proper part of the campus.

13 Q When, if at all, did the bike racks actually get removed?

14 A We did remove them the night of the 5th.

15 Q Okay. And the additional bike rack on the Senate egg side, those were put
16 in place, right?

17 A Those were put in place. And then we removed bike rack on the night of
18 the 5th based on that whole email chain that we just went through.

19 Q And then obviously, because you never received the request, the additional
20 bike rack that they were contemplating on Independence Avenue, that was never set up,
21 right?

22 A That was never set up.

23 Q So on January 6th at 1:28 p.m. in Exhibit 10, you're asking whether "the
24 team is ready to move the 400 bike racks to the east front." And so this is after the
25 President's speech, this is after crowds have started moving to the Capitol. And you've

1 just told me, you know, you removed the bike racks in question the night before. So talk
2 to us -- what is this? What is this development? What is this about?

3 A So on the 6th, one of the numerous calls I received was from Robert Ford,
4 again, Security Services Bureau, saying we need you to get bike rack to the east front.
5 They're being overrun. So I called my team first and said, hey, I'm going to send you
6 traffic, but I need you to at least start the process, have the contractor be ready to move.

7 I asked if we had additional bike racks still on campus because a lot of times when
8 we remove bike rack, the contractor will take it back to their facility. We keep a small
9 amount on campus. And so part of the first call was do we have additional bike rack on
10 campus that we can get to the east front.

11 I was told yes. I followed that up with the email. They did load it up. So they
12 did load up the bike rack, that additional bike rack, to try to get it to the east front. As
13 you can tell from the time, by that time, the chaos was in full swing, but they were going
14 to try to get the additional bike rack there.

15 I did ask the question verbally to Robert Ford when I talked to him, do you
16 really want us to deliver more bike rack since they're using the bike rack to assault the
17 Capitol Police officers? I was told yes. So again, we were marching out to do what
18 we had been asked to do.

19 I can explain what happened, why it didn't get there. So our contractor loaded it
20 up. If you're familiar with the campus, my office is in the Fairchild Building. Our
21 contractor lay-down area is in front of the Fairchild Building. They loaded up the bike
22 rack. They were ready with a police escort to get it to the east front and that was when
23 one of the unexploded -- improvised explosive devices at the DNC, which is right across
24 the street from our contractor compound, that's when pretty much that whole area was
25 shut down due to those improvised explosive devices. So that contract team could not

1 get that bike rack because you had the larger issue of potential explosive devices at
2 multiple locations. And so there was stop movement.

3 Q So is it fair to say that that additional 400 bike racks, that was never put in
4 place, right?

5 A It was later that night. So it wasn't until later that night after, you know,
6 they had cleared the building that we actually put additional bike rack in place.

7 Q And is it fair to say, you know, in addition to the fact that they could be used
8 as weapons, I mean, did it appear to be too little too late at that point? I mean, what
9 additional -- at the point that people are breaching the perimeter, what would laying
10 down additional bike rack do if they are not, you know, obeying the limits of what the
11 bike rack is meant to contain?

12 A My personal opinion is it would not have made a difference and that
13 is -- again, I did ask something similar when I got the request, because you could see on
14 TV that the bike rack wasn't connected and to try to put down additional bike rack in the
15 middle of a mob, they just would have taken the bike rack probably off of the truck and
16 started using it.

17 Q Do you have any visibility who asked for this? Was it the chief, Chief Sund
18 himself?

19 A I don't know who asked for it. All I know is the call I got was from Robert
20 Ford, who was my normal contact with Capitol Police.

21 Q Were you aware of any discussion or consideration of putting up fencing
22 leading up to January 6, for January 6th?

23 A No. I was not aware of that discussion. The only fencing discussions that
24 were ongoing in that time frame was the fencing that we normally put up for the
25 inauguration. And so in concert with Capitol Police and the Secret Service, my office

1 contracts for additional anti-climb fencing based on Capitol Police's specifications.

2 We're told how much and where to put it and we normally use that fencing to
3 complete the perimeter. Secret Service does it up to a certain point and then Capitol
4 Police has the responsibility to complete the line, if you will, and we provide that service
5 for Capitol Police.

6 Q So we see now since January 6th, you know, the frequent use of fencing for,
7 you know, events or protests or certain things. Do you have any visibility into why that
8 wasn't even discussed or considered before January 6th? What was the culture or the
9 thinking like about fencing before January 6th?

10 A I can't speak for Capitol Police, but my understanding is except for the
11 inauguration, that was the only event that we would put up fencing.

12 Q And you didn't have an inkling into why?

13 A I don't know for a fact as to why. All I know is that that is -- you know, prior
14 to January 6th, we only planned for and installed fencing for the inauguration.

15 Q This is sort of a miscellaneous question. Only if you know it off the top of
16 your head and briefly.

17 It's our understanding that the DOJ has updated the damage assessment for the
18 January 6th attack from the \$1.4 million figure previously used to an amount of more
19 than \$2.7 million according to its latest finding. Were you aware of that jump and did
20 you contribute any new information for that assessment?

21 A We were aware of the jump based on the article that came out. The AOC,
22 we updated our cost estimate based on actual contracting costs. I believe it was
23 October of 2021.

24 The additional cost, that 1.4 million, was only the AOC cost. Capitol Police and
25 the House and Senate POCs all had their own costs. So like with the furniture that was

1 broken, some of the TVs that were destroyed, the AOC doesn't own any of that. What
2 the AOC curator owns as far as artwork and statues is limited as well, and the House and
3 Senate curators own other items in the House and Senate wing. And so we were only
4 providing DOJ the AOC costs. They were getting other costs from Capitol Police and the
5 House and Senate.

6 Q And in the remaining seven minutes, I want to squeeze in two things, which
7 is -- the latter will be me asking you about any sort of lessons learned and
8 recommendations that you think the Select Committee should take up. I'll leave two
9 minutes for that.

10 If you could run through your day on January 6th, taking no more than five
11 minutes, just, you know, the major highlights as things were being updated to you, what
12 you were doing. You already talked to us about sending over the bike racks, so you
13 don't have to go over that story again. But any other stories like that throughout the
14 day and including one thing of particular note to me, it says a timeline at 2:34 hours, you
15 forwarded a photo of the gallows noose on the west front to the Capitol Building
16 jurisdictional leadership. I was interested, you know, why you did that, but if you could
17 just walk me through your day in five minutes.

18 A Yes. So on the -- late in the evening, I need to preface some things.
19 On -- late evening on January 5th, we received, through multiple sources, some
20 intelligence that there was the potential for an aircraft attack on the Capitol building.
21 We briefed Mr. Blanton and I advised him at that time that based on the potential for
22 violence from, you know, the demonstrations on January 6, we now had an aircraft
23 potential. I advised him, since he didn't have an official role, not to be on campus and
24 my office went into dispersed operations so that if something happens, we would have
25 staff available.

1 On the morning of January 6th, I started getting reports from my staff who sit in
2 the Capitol Police Command Center. They were doing their normal updates and they
3 started saying we're seeing more crowds, we see a crowd on the west front that looks like
4 it's Proud Boys, because they have on the black and gold. We started seeing those types
5 of reports, you know, and then we started getting reports that the crowd was becoming
6 more active, more aggressive as they approached the lines.

7 We started getting reports that there were rumors -- one of the calls I got from my
8 POC in the command center was there's talk that they're going to set the inaugural stands
9 on fire, you know, what do we do? I called the Capitol building and said, you know,
10 we've asked Capitol Police to see if they could get D.C. Fire on standby in case that
11 happens, but make sure you are ready -- not that you can save anything -- but fire
12 extinguishers because you may have to try to address it. That was before people got in
13 the building.

14 After the breach, Mr. Blanton -- and all this time I'm talking back and forth to
15 Mr. Blanton, to the staff, and Mr. Blanton starts getting calls because they didn't know
16 who else to call. He was getting calls from people saying we're in room whatever and
17 we need help. He would relay that to me. We're relaying that back to the command
18 center, can you get someone to go get these people? They're trapped in room
19 whatever. It was chaotic. But we were trying to help.

20 We were getting calls later in the day. You know, they need -- Capitol Police
21 needs water to rinse out the eyes of the officers. The senators are in this room and can
22 you get them some food from your restaurant. And so over the course of the actual
23 breach, we were -- you know, accountability, some of those standard things, but we were
24 also trying to assist in the response of sheltering people if we could in the shop, getting
25 Capitol Police to send small teams to try to rescue people who had been trapped and had

1 rioters banging on their door. And so it was a long day, a chaotic day as we tried to
2 constantly answer those calls and assist as best we could.

3 Q Thank you so much for running through that with us and for your service and
4 help that day, of course. Before I ask you about recommendations, is there anything
5 that I didn't ask you that you want to share with the committee?

6 A Not that I'm aware of.

7 Q Okay. For you, what were sort of the lessons learned that you took away
8 from January 6th? And if there were -- you know, we're contemplating, of course, a set of
9 recommendations to try to avoid this from happening again. Do you have any
10 suggestions or thoughts on what some of those might be?

11 A My biggest thought is, again, we're not intel, but understanding First
12 Amendment rights, one of the things I've, you know, learned not only in the military, if
13 there is an abundance of chatter, you have to take chatter seriously. You may overreact
14 in the end, but it's better to overreact and be prepared than ignore it and not be
15 prepared in case the chatter was viable.

16 Long term, it's looking at how we do temporary perimeter securities. It's helping
17 people understand the purpose of the different physical security elements, you know,
18 bike rack, what bike rack is for, what fencing is for, what it does and does not do. And
19 looking at the campus as a whole, how we conduct business on campus while still being
20 the people's house and open to the public, how do we work as a team to better protect
21 the people and the facilities and the grounds.

22 Q Great. Let me make sure that none of my colleagues have any questions
23 before we wrap up.

24 [REDACTED] Okay. Hearing nothing, I want to thank you again so much for
25 spending this time with us. We really appreciate it.

1 The transcribed interview stands in recess subject to the call of the chair. Thank
2 you.

3 Ms. Hasberry. Thank you.

4 [Whereupon, at 2:30 p.m., the interview concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date